

Appl. No. : **10/748,719**
Filed : **December 30, 2003**

REMARKS

Claims 1, 2, 6, 11, 19, 30-32, 37-40, and 45 have been amended. Support for these amendments can be found at least in paragraph 77 of the published application. New Claims 42-57 have been added. Support for the new claims can be found at least in the original claims and in paragraph 47 of the published application. Claims 3 and 12 have been canceled.

Discussion of Claim Objections

Claim 40 is objected to because of lack of antecedent bases for “the media server.” Claim 40 has been amended to overcome the objection.

Discussion of Claim Rejections Under 35 U.S.C. § 102(b)

Claims 1, 11, 14, 19, 28, 32, 37-40, and 45 are rejected under 35 U.S.C. § 102(b) as being anticipated by Naden (WO 01/56297). Naden discusses a home video distribution and storage system which provides wireless distribution of satellite and Internet services.

Naden, however, does not discuss all of the features of Claim 1. For example, Naden does not teach a media file distribution system where each of the remote units is configured to upload a media file to a media server. Accordingly, Applicant respectfully submits that Claim 1 is novel over Naden, and is, therefore, in condition for allowance. In addition, Applicant respectfully submits that Claims 19, 37-40, and 45 are also in condition for allowance for reasons similar to those discussed above with regard to Claim 1.

In addition, Applicant does not necessarily agree with the Examiner’s characterization of the cited art with regard to the dependent claims, and respectfully submits that each of the dependent claims is in condition for allowance because of the features they each inherit from the independent claim from which they depend, and because of their own features.

Discussion of Claims Rejected Under 35 U.S.C. § 103(a)

Claims 7, 8, 15, 20, 24, 25, 33-35, 42, and 44 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Naden in view of Griffiths (WO 01/56297). Furthermore, Claims 2, 16, 17, 41 and 43 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Naden in view of

Griffiths, and further in view of Goldberg (U.S. 7,100,191). Griffiths discusses a remote playback system with playback at a first device in response to a command received from a second device. Goldberg discusses a system and method for distributing various media content. Applicant respectfully submits that the combinations of Naden and Griffiths, and Naden, Griffiths, and Goldberg do not disclose all of the features of Claims 41-44. For example, the combinations do not disclose a method of distributing media which includes storing media files in a media file store on a media server, and setting up one or more wireless communication channels between the media server, one or more satellite units, and a wireless mobile computing device. Applicant respectfully submits that the central server (130) of Griffiths cannot be equated with the media server of these claims because the central server (130) of Griffiths does not store media files. Therefore, Applicant respectfully submits that Claims 41-44 are in condition for allowance.

In addition, Applicant does not necessarily agree with the Examiner's characterization of the cited art with regard to the dependent claims, and respectfully submits that each of the dependent claims is in condition for allowance because of the features they each inherit from the independent claim from which they depend, and because of their own features.

Conclusion

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

Applicant has endeavored to address all of the Examiner's concerns as expressed in the outstanding Office Action. In light of the above amendments and remarks, reconsideration and

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withdrawal of the outstanding rejections is respectfully requested. If the Examiner has any questions which may be answered by telephone, he is invited to call the undersigned directly.

If the Examiner would like to discuss this application, please call the undersigned attorney of record.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

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